

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN P. HENDRICKSON,  
individually and on behalf of all  
others similarly situated,

Plaintiff,

V.

JARED HALL and RYAN  
SETTY-O'CONNOR

Defendants.

No. 3:22-cv-2930-S-BN

**ORDER REQUIRING FILING UNDER N.D. TEX. L. CIV. R. 55.1**

Northern District of Texas Local Civil Rule 55.1 provides that, “[i]f a defendant has been in default for 90 days, the presiding judge may require the plaintiff to move for entry of a default and a default judgment. If the plaintiff fails to do so within the prescribed time, the presiding judge will dismiss the action, without prejudice, as to that defendant.”

On January 26, 2023, Plaintiff John Hendrickson filed a motion for entry of default judgment against Defendant Ryan Setty-O'Connor, *see* Dkt. No. 8, and the Clerk of the Court issued entry of default, *see* Dkt. No. 9.

Plaintiff stated in the motion for entry of default judgment that he would file a motion for default judgment against Defendant Ryan Setty-O'Connor upon the Clerk's entry of default. See Dkt. No. 8 at 2 ¶8. But he has failed to do so.

The Court now orders Plaintiff John Hendrickson to, by **Wednesday, April 27, 2023**, either (1) file a motion for default judgment against Defendant Ryan Setty-

O'Connor or (2) file a written response to this order explaining why, if Plaintiff will not seek a default judgment against Defendant Ryan Setty-O'Connor, the Court should not dismiss the action without prejudice as to Defendant Ryan Setty-O'Connor.

SO ORDERED.

DATED: March 24, 2023

A handwritten signature in black ink, appearing to be 'DH' followed by a long horizontal line.

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DAVID L. HORAN  
UNITED STATES MAGISTRATE JUDGE